

BLUM | COLLINS LLP

Aon Center
707 Wilshire Boulevard
Suite 4880
Los Angeles, California
90017

213.572.0400 phone
213.572.0401 fax

July 23, 2019

Current President or CEO Himalaya Herbal Healthcare 1101 Gillingham Lane Sugar Land, TX 77478	Current President or CEO Himalaya Ventures, LP 26 Berenger Place Sugar Land, TX 77479
Current President or CEO The Himalaya Drug Company 1101 Gillingham Lane Sugar Land, TX 77478-2865	Dominic G. Sreshta, Registered Agent Himalaya Ventures, LP 26 Berenger Place Sugar Land, TX 77479
Nabeel Manal, Registered Agent The Himalaya Drug Company 1101 Gillingham Lane Sugar Land, TX 77478-2865	
Current President or CEO The Himalaya Drug Company 10440 Westoffice Dr. Houston, TX 77042-5309	Nabeel Manal, Registered Agent The Himalaya Drug Company 10440 Westoffice Dr. Houston, TX 77042-5309
<i>Via Certified Mail, Return Receipt Requested</i>	
Meraj Manal Chairman Himalaya Global Holdings, Ltd. meraj.manal@himalayawellness.com	
Stacey Grassini, Deputy District Attorney Contra Costa County 900 Ward Street Martinez, CA 94553 sgrassini@contracostada.org	Michelle Latimer, Program Coordinator Lassen County District Attorney 220 S. Lassen Street Susanville, CA 96130 mlatimer@co.lassen.ca.us
Dije Ndreu, Deputy District Attorney Monterey County 1200 Aguajito Road Monterey, CA 93940 Prop65DA@co.monterey.ca.us	Gary Lieberstein, District Attorney Napa County 931 Parkway Mall Napa, CA 94559 CEPD@countyofnapa.org

<p>Tori Verber Salazar, District Attorney San Joaquin County 222 E. Weber Ave., Room 202 Stockton, CA 95202 DAConsumer.Environmental@sjcda.org</p>	<p>Eric J. Dobroth, Deputy District Attorney San Luis Obispo County County Government Center Annex, 4th Fl. San Luis Obispo, CA 93408 edobroth@co.slo.ca.us</p>
<p>Christopher Dalbey, Deputy District Attorney Santa Barbara County 1112 Santa Barbara Street Santa Barbara, CA 93101 DAProp65@co.santa-barbara.ca.us</p>	<p>Bud Porter, Supervising Deputy District Attorney Santa Clara County 70 W. Hedding St. San Jose, CA 95110 EPU@da.sccgov.org</p>
<p>Jeffrey S. Rosell, District Attorney Santa Cruz County 701 Ocean Street Santa Cruz, CA 95060 Prop65DA@santacruzcounty.us</p>	<p>Stephan R. Passalacqua, District Attorney Sonoma County 600 Administration Dr. Sonoma, CA 95403 jbarnes@sonoma-county.org</p>
<p>Philip J. Cline, District Attorney Tulare County 221 S. Mooney Blvd. Visalia, CA 95370 Prop65@co.tulare.ca.us</p>	<p>Gregory D. Totten, District Attorney Ventura County 800 S. Victoria Ave. Ventura, CA 93009 daspecialops@ventura.org</p>
<p>Jeff W. Reisig, District Attorney Yolo County 301 Second Street Woodland, CA 95695 cfepd@yolocounty.org</p>	<p>Nancy O'Malley, District Attorney 7776 Oakport Street, Suite 650 Oakland, CA 94621 CEPDProp65@acgov.org</p>
<p>Barbara Yook, District Attorney 891 Mountain Ranch Road San Andreas, CA 95249 Prop65Env@col.calaveras.ca.us</p>	<p>Thomas L. Hardy, District Attorney 168 North Edwards Street Independence, CA 93526 inyoda@inyocounty.us</p>
<p>Valerie Lopez, Deputy City Attorney 1390 Market St., 7th Floor San Francisco, CA 94012 Valerie.Lopez@sfcityatty.org</p>	

Paul E. Zellerbach, District Attorney Riverside County 3072 Orange Street Riverside, CA 92501 Prop65@rivcoda.org	Anne Marie Schubert, District Attorney Sacramento County 901 G Street Sacramento, CA 95814 Prop65@sacda.org
Kathryn L. Turner, Chief Deputy City Attorney San Diego City Attorney 1200 Third Avenue San Diego, CA 92101 CityAttyCrimProp65@sandiego.gov	Gregory Alker, Assistant District Attorney San Francisco County 732 Brannan Street San Francisco, CA 94103 gregory.alker@sfgov.org
<i>Via Electronic Mail</i>	
Office of the California Attorney General	
<i>Via Online Submission</i>	
Additional California County District Attorneys and City Attorneys for Cities with populations over 750,000	
<i>Via First Class Mail (certificate of service attached)</i>	

Re: *Notice of Violation of California Health & Safety Code Sections 25249.5 et seq.*

Dear Addressees:

We represent the Golden State Environmental Justice Alliance (“GSEJA”) in connection with this Notice of Violation of California’s Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Cal. Health & Safety Code Sections 25249.5 *et seq.*, also known as Proposition 65. GSEJA is a California non-profit corporation focused in part on limiting public exposure to hazardous and toxic chemicals.

The names of the company or companies covered by this notice (hereafter, “the Violators”) that violated Proposition 65 are:

Himalaya Herbal Healthcare, an unknown entity
 Himalaya Ventures, LP
 The Himalaya Drug Company
 Himalaya Global Holdings, Ltd.

The product that is the subject of this notice and the chemical identified as exceeding allowable levels is:

Himalaya Bacopa (herbal supplement) - Lead

On February 27, 1987, the State of California officially listed lead as a chemical known to cause developmental toxicity, and male and female reproductive toxicity. On October 1, 1992, the State of California officially listed lead and lead compounds as chemicals known to cause cancer.

This letter is a notice to the Violators and the appropriate governmental authorities of the Proposition 65 violations concerning the listed products. This notice covers all violations of Proposition 65 involving the Violators currently known to GSEJA from the information now available to it. GSEJA may continue to investigate other products manufactured or distributed by the Violators that may reveal further violations. A summary of Proposition 65, prepared by the Office of Environmental Health Hazard Assessment, is enclosed with the copy of this letter to the Violators.

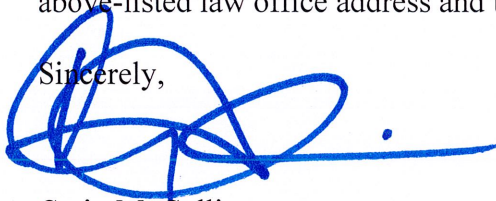
The Violators have manufactured, marketed, distributed, and/or sold the listed product, which has exposed and continues to expose numerous individuals within California to the identified chemical, lead. The consumer exposures that are the subject of this notice result from the recommended use of these products by consumers. The route of exposure to lead has been through ingestion. Proposition 65 requires that a clear and reasonable warning be provided prior to exposure to lead. The method of warning should be a warning appearing on the product's label. The Violators violated Proposition 65 because they failed to provide an appropriate warning to persons ingesting this product that they are being exposed to lead. Each of these ongoing violations has occurred on every day since at the latest December 3, 2018, as well as every day since the product was introduced in the California marketplace, and will continue every day until clear and reasonable warnings are provided to product purchasers and users.

Pursuant to Section 25249.7(d) of the statute, GSEJA intends to file a citizen enforcement action sixty days after effective service of this notice unless the Violators agree in an enforceable written instrument to reformulate the product, pay appropriate civil penalties, and provide clear and reasonable warnings compliant with Proposition 65 to all persons located in California who purchased the product in the past three years.

GSEJA is interested in seeking a constructive resolution of this matter as reflected above. A resolution to this matter is one that will avoid additional consumer exposures or exposures without warnings, and will avoid litigation of this matter.

GSEJA's Executive Director is Joe Bourgeois, its mailing address is P.O. Box 79222, Corona, CA 92879, and its phone is 951-279-4697. GSEJA has retained Blum Collins in connection with this matter, and we suggest that you communicate directly with us at the above-listed law office address and telephone number.

Sincerely,

A handwritten signature in blue ink, appearing to be "Craig M. Collins", with a long horizontal stroke extending to the right.

Craig M. Collins
Hannah Bentley
Blum Collins LLP

Attachments (to Violators): Certificate of Merit, Certificate of Service, OEHHA
Summary of Proposition 65

Attachments (to all other addressees): Certificate of Merit, Certificate of Service

Attachment (to Attorney General): Additional Supporting Information for Certificate of
Merit

CERTIFICATE OF MERIT

Re: Golden State Environmental Justice Alliance's Notice of Proposition 65 Violation by Himalaya Herbal Healthcare, an unknown entity, Himalaya Ventures, LP, The Himalaya Drug Company, and Himalaya Global Holdings, Ltd.

I, Hannah Bentley, state:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the parties identified in the notice violated California Health & Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.
2. I am an attorney for the noticing party.
3. I have consulted with one or more persons with relevant and appropriate experience or expertise who have reviewed facts, studies, or other data regarding the exposure to the listed chemicals that are the subject of the attached notice.
4. Based on the information obtained through those consultants, and on other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiff's case can be established and that the information did not prove that the alleged Violator will be able to establish any of the affirmative defenses set forth in the statute.
5. Along with the copy of this Certificate of Merit served on the Attorney General is attached additional factual information sufficient to establish the basis for this certificate, including the information identified in California Health & Safety Code Section 25249.7(h)(2), *i.e.*, the identity of the persons consulted with and relied upon by the certifier, and the facts, studies or other data reviewed by those persons.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 23rd day of July, 2019, at Los Angeles, California.



Hannah Bentley, APC

CERTIFICATE OF SERVICE PURSUANT TO 27 CCR § 25903

I, the undersigned, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

I am a resident and/or employed in the County of Los Angeles, State of California. My business address is 707 Wilshire Blvd., Suite 4880, Los Angeles, California 90017. The envelope or package was placed in the mail or sent by email at Los Angeles, California.

On July 23, 2019 between 8:00 a.m. and 5:00 p.m. Pacific Time, I served the following documents:

NOTICE OF VIOLATIONS OF CALIFORNIA HEALTH & SAFETY CODE §§ 25249.5 *ET SEQ.*; CERTIFICATE OF MERIT; "THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY (OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT)

on the following parties by placing a true and correct copy of each document into a sealed envelope, first class postage fully prepaid for delivery by Certified Mail, addressed as follows:

Current President or CEO Himalaya Herbal Healthcare, an unknown entity 1101 Gillingham Lane Sugar Land, TX 77478	Current President or CEO Himalaya Ventures, LP 26 Berenger Place Sugar Land, TX 77479
Current President or CEO The Himalaya Drug Company 1101 Gillingham Lane Sugar Land, TX 77478	Dominic G. Sreshta, Registered Agent, Himalaya Ventures, LP 26 Berenger Place Sugar Land, TX 77479
Nabeel Manal, Registered Agent The Himalaya Drug Company 1101 Gillingham Lane Sugar Land, TX 77478-2865	Nabeel Manal, Registered Agent The Himalaya Drug Company 10440 Westoffice Dr. Houston, TX 77042-5309
Current President or CEO The Himalaya Drug Company 10440 Westoffice Dr. Houston, TX 77042-5309	

On July 23, 2019 between 8:00 a.m. and 5:00 p.m. Pacific Time, I served the following documents:

NOTICE OF VIOLATIONS OF CALIFORNIA HEALTH & SAFETY
CODE §§ 25249.5 *ET SEQ.*; CERTIFICATE OF MERIT; "THE SAFE
DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986
(PROPOSITION 65): A SUMMARY (OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT)

on the following party when a true and correct copy thereof was sent via electronic mail to:

Meraj Manal
Chairman
Himalaya Global Holdings, Ltd.
meraj.manal@himalayawellness.com

On July 23, 2019, between 8:00 a.m. and 5:00 p.m. Pacific Time, I verified that the following documents:

NOTICE OF VIOLATIONS OF CALIFORNIA HEALTH & SAFETY
CODE §§ 25249.5 *ET SEQ.*; CERTIFICATE OF MERIT; ADDITIONAL
SUPPORTING INFORMATION FOR CERTIFICATE OF MERIT AS
REQUIRED BY CALIFORNIA HEALTH & SAFETY CODE SECTION
25249.7(d)(1)

were served on the following party when a true and correct copy thereof was uploaded on the California Attorney General's website, which can be accessed at
<https://oag.ca.gov/prop65/add-60-day-notice>:

Office of the California Attorney General
Prop 65 Enforcement Reporting

On July 23, 2019, between 8:00 a.m. and 5:00 p.m. Pacific Time, I served the following documents:

NOTICE OF VIOLATIONS OF CALIFORNIA HEALTH & SAFETY
CODE §§ 25249.5 *ET SEQ.*; CERTIFICATE OF MERIT

on the following parties when a true and correct copy thereof was sent via electronic mail to each of the parties listed below:

Stacey Grassini, Deputy District Attorney Contra Costa County 900 Ward Street Martinez, CA 94553 sgrassini@contracostada.org	Michelle Latimer, Program Coordinator Lassen County District Attorney 220 S. Lassen Street Susanville, CA 96130 mlatimer@co.lassen.ca.us
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Dije Ndreu, Deputy District Attorney Monterey County 1200 Aguajito Road Monterey, CA 93940 Prop65DA@co.monterey.ca.us	Gary Lieberstein, District Attorney Napa County 931 Parkway Mall Napa, CA 94559 CEPD@countyofnapa.org
Tori Verber Salazar, District Attorney San Joaquin County 222 E. Weber Ave., Room 202 Stockton, CA 95202 DAConsumer.Environmental@sjcda.org	Eric J. Dobroth, Deputy District Attorney San Luis Obispo County County Government Center Annex, 4 th Fl. San Luis Obispo, CA 93408 edobroth@co.slo.ca.us
Christopher Dalbey, Deputy District Attorney Santa Barbara County 1112 Santa Barbara Street Santa Barbara, CA 93101 DAProp65@co.santa-barbara.ca.us	Bud Porter, Supervising Deputy District Attorney Santa Clara County 70 W. Hedding St. San Jose, CA 95110 EPU@da.sccgov.org
Jeffrey S. Rosell, District Attorney Santa Cruz County 701 Ocean Street Santa Cruz, CA 95060 Prop65DA@santacruzcounty.us	Stephan R. Passalacqua, District Attorney Sonoma County 600 Administration Dr. Sonoma, CA 95403 jbarnes@sonoma-county.org
Philip J. Cline, District Attorney Tulare County 221 S. Mooney Blvd. Visalia, CA 95370 Prop65@co.tulare.ca.us	Gregory D. Totten, District Attorney Ventura County 800 S. Victoria Ave. Ventura, CA 93009 daspecialops@ventura.org
Jeff W. Reisig, District Attorney Yolo County 301 Second Street Woodland, CA 95695 cfepd@yolocounty.org	Nancy O'Malley, District Attorney 7776 Oakport Street, Suite 650 Oakland, CA 94621 CEPDProp65@acgov.org
Barbara Yook, District Attorney 891 Mountain Ranch Road San Andreas, CA 95249 Prop65Env@col.calaveras.ca.us	Thomas L. Hardy, District Attorney 168 North Edwards Street Independence, CA 93526 inyoda@inyocounty.us
Valerie Lopez, Deputy City Attorney 1390 Market St., 7 th Floor San Francisco, CA 94012 Valerie.Lopez@sfcityatty.org	

Paul E. Zellerbach, District Attorney Riverside County 3072 Orange Street Riverside, CA 92501 Prop65@rivcoda.org	Anne Marie Schubert, District Attorney Sacramento County 901 G Street Sacramento, CA 95814 Prop65@sacda.org
Kathryn L. Turner, Chief Deputy City Attorney San Diego City Attorney 1200 Third Avenue San Diego, CA 92101 CityAttyCrimProp65@sandiego.gov	Gregory Alker, Assistant District Attorney San Francisco County 732 Brannan Street San Francisco, CA 94103 gregory.alker@sfgov.org

On July 23 2019, between 8:00 a.m. and 5:00 pm. Pacific Time, I served the following documents:

NOTICE OF VIOLATIONS OF CALIFORNIA HEALTH & SAFETY
CODE SECTIONS 25249.5 *ET SEQ.*; CERTIFICATE OF MERIT

on each of the parties on the Service List attached hereto by placing a true and correct copy thereof into a sealed envelope, first class postage fully prepaid thereon, addressed to each address on the service list, and depositing it with the U.S. Postal Service for delivery by first class mail.

Executed this 23 day of July, 2019, at Los Angeles, California.



Peregrine Lang

SERVICE LIST

District Attorney Alpine County P.O. Box 248 Markleeville, CA 96120	District Attorney Amador County 708 Court Street, Suite 202 Jackson, CA 95642	District Attorney Butte County 25 County Center Drive, Suite 245 Oroville, CA 95965	District Attorney Colusa County 346 Fifth Street, Suite 101 Colusa, CA 95932
District Attorney Del Norte County 450 H Street, Room 171 Crescent City, CA 95531	District Attorney El Dorado County 515 Main Street Placerville, CA 95667	District Attorney Fresno County 2220 Tulare Street Suite 1000 Fresno, CA 93721	District Attorney Glenn County P.O. Box 430 Willows, CA 95988
District Attorney Humboldt County 825 5 th Street, 4 th Floor Eureka, CA 95501	District Attorney Imperial County 940 W. Main St., Suite 102 El Centro, CA 92243	District Attorney Kern County 1215 Truxton Ave. Bakersfield, CA 93301	District Attorney Kings County 1400 W. Lacey Blvd. Hanford, CA 93230
District Attorney Lake County 255 N. Forbes St. Lakeport, CA 95453	District Attorney Los Angeles County Hall of Justice 211 W. Temple St., Ste. 1200 Los Angeles, CA 90012	District Attorney Madera County 209 W. Yosemite Ave. Madera, CA 93637	District Attorney Marin County 3501 Civic Center Drive Room 130 San Rafael, CA 94903
District Attorney Mariposa County P.O. Box 730 Mariposa, CA 95338	District Attorney Mendocino County P.O. Box 1000 Ukiah, CA 95482	District Attorney Merced County 550 W. Main Street Merced, CA 95340	District Attorney Modoc County 204 S. Court St., Rm. 202 Alturas, CA 96101-4020
District Attorney Mono County P.O. Box 617 Bridgeport, CA 93517	District Attorney Nevada County 201 Commercial Street Nevada City, CA 95959	District Attorney Orange County 401 W. Civic Center Dr. Santa Ana, CA 92701	District Attorney Placer County 10910 Justice Center Drive Suite 240 Roseville, CA 95678
District Attorney Plumas County 520 Main Street, Rm. 404 Quincy, CA 95971	District Attorney San Benito County 419 Fourth Street, 2 nd Floor Hollister, CA 95023	District Attorney San Bernardino County 303 W. Third St. San Bernardino, CA 92415	District Attorney San Diego County 330 W. Broadway, Suite 1300 San Diego, CA 92101
District Attorney San Mateo County 400 County Ctr., 3 rd Floor Redwood City, CA 94063	District Attorney Shasta County 1355 West Street Redding, CA 96001	District Attorney Sierra County 100 Courthouse Square Second Floor Downieville, CA 95936	District Attorney Siskiyou County P.O. Box 986 Yreka, CA 96097
District Attorney Solano County 675 Texas Street, Ste. 4500 Fairfield, CA 94533	District Attorney Stanislaus County 832 12 th Street, Ste. 300 Modesto, CA 95354	District Attorney Sutter County 463 Second Street Yuba City, CA 95991	District Attorney Tehama County P.O. Box 519 Red Bluff, CA 96080
District Attorney Trinity County P.O. Box 319 Weaverville, CA 96093	District Attorney Tuolumne County 423 N. Washington Street Sonora, CA 95370	District Attorney Yuba County 215 Fifth Street, Suite 152 Marysville, CA 95901	Los Angeles City Attorney's Office City Hall East 200 N. Main Street, Suite 800 Los Angeles, CA 90012
San Jose City Attorney's Office 200 E. Santa Clara Street Sixteenth Floor San Jose, CA 95113			